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VIA ECF

The Honorable Naomi Reice Buchwald
United States District Court for the
Southern District of New York
500 Peal Street
New York, New York 10007

Re: *Treasure Chest Themed Value Mail, Inc. v. David Morris Intl., Inc.*
1:17-cv-00001-NRB (S.D.N.Y.)

Dear Judge Buchwald:

My firm represents the plaintiff in the referenced matter, Treasure Chest Themed Value Mail, Inc. In accordance with the Court's Individual Rules of Practice, I am writing to request a pre-motion conference concerning a contemplated motion for an order authorizing registration of the final judgment in this case in another district pursuant to 28 U.S.C. § 1963.

It is imperative that Plaintiff be permitted to register the judgment in districts other than New York. Plaintiff's post-judgment investigation into Defendant's assets did not reveal the existence of any assets located within the State of New York. As Defendant is headquartered and conducts the vast majority of its business in other districts, Plaintiff will necessarily have to seek satisfaction of the judgment through assets located in those districts.

Plaintiff had initially sought a Clerk's Certification of the final judgment and Defendant opposed on a technicality based entirely on the language in form AO 451 concerning the status of an appeal (Docket Nos. 55-57). Ultimately, the Court declined to direct the Clerk to sign the form in light of the conflicting language in the form and the short time remaining on Defendant's deadline to reinstate its appeal (Docket No. 59). However, Defendant has since reinstated its appeal and has nonetheless failed to file a bond. Plaintiff, therefore, has no choice but to pursue the contemplated motion seeking an order from the Court rather than a Clerk's Certification of the final judgment.

In pertinent part, 28 U.S.C. § 1963 provides that "a judgment in an action for the recovery of money or property entered in any . . . district court . . . may be registered . . . when ordered by the court that entered the judgment for good cause shown." Accordingly, unlike the Clerk's

Certification, this Court may issue an order authorizing the registration of a judgment in any other district without regard to the status of Defendant's appeal.

Plaintiff is confident that the contemplated motion has merit and that it can make the requisite showing for the Court to grant the motion. I look forward to scheduling a conference at a time convenient for this Court.

Very truly yours,

/s/
Daniel Knox

cc: all counsel by CM/ECF